IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant

Glen VAN DATTA et al.

Serial No.

10/700,798

Filed

November 3, 2003

For

PEER-TO-PEER RELAY NETWORK

Examiner Art Unit Ramy M. Osman

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DECLARATION UNDER 37 CFR 1.131

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

- I, Anthony Mai, hereby declare as follows:
- 1. I am a named inventor of the above-noted United States Patent Application 10/700,798, filed in the United States Patent and Trademark Office on November 3, 2003, with a

claim of priority under 35 U.S.C. 119(e) to Provisional Application 60/513,098, filed October 20, 2003.

- 2. I hereby declare I conceived and reduced to practice the invention defined by claim 24 ("the invention") of the above-noted application prior to April 9, 2002, the United States filing date of United States Patent 7,174,382 issued to Ramanathan et al. ("Ramanathan"), as demonstrated in the exhibits attached to this Declaration. My earlier conception and reduction to practice of my claimed invention is evidenced by the following statements:
- 3. Prior to April 9, 2002, I conceived of the invention of the present application as evidenced by Exhibit A, titled "Multi-Channel Multi-Party Audio Streaming Protocol" ("Protocol"), which was attached to an e-mail that I sent to G. Van Datta prior to April 9, 2002. Language in the e-mail portion of Exhibit A has been redacted to preserve attorney-client privileged information. Specific nomenclature in the Protocol has been redacted to preserve confidential information.
- 4. The Protocol discloses the elements recited in claim 24. In particular, the Protocol describes the method of joining (adding) a peer system to a peer-to-peer (P2P) system and a method of establishing a P2P network.
- 5. My invention was reduced to practice in a computer implementation as evidenced by the attached Exhibits B and C, which perform the functions recited by the elements recited in claim 24. These exhibits are source code that is proprietary to the assignee of the present invention; and such source code has been reducted to preserve the confidentiality of such source code.
- Exhibit B is computer source code created prior to April 9, 2002. Exhibit B
 constructs and sends out communications packages, as well as receives and processes incoming

communication packages, pertaining to the forming and maintenance of the relay grid. Exhibit B describes the data packages that the relay grid tries to relay. Portions of Exhibit B have been redacted to preserve confidential information.

- 7. Exhibit C is computer source code created prior to April 9, 2002. Exhibit C manages the features in Exhibit B as well as manages the high level application requests. Exhibit C generates and processes the message packages that are used to implement the invention. Exhibit C also accepts incoming and outgoing audio data streams and processes the data streams in proper data packages Exhibit C utilizes and manages Exhibit B to allow each client to interact with each other using pre-defined message packages in order to connect to each other and form the relay grid described in the invention. Function calls from Exhibit C are reproduced in Exhibits C1-C8 and are explained in more detail herein as necessary. Portions of Exhibits C and C1-C8 have been redacted to preserve confidential information.
- 8. The function call on page 10 of Exhibit C and reproduced as Exhibit C1 causes the code to start the process to construct a relay grid, which implements the element "adding a peer system to a peer-to-peer relay network," recited in claim 24.
- 9. The function call on page 11 of Exhibit C and reproduced as Exhibit C2 causes the code to process any incoming network package and decide further processing depending on the package, which implements "opening a connection between a server and a joining peer system," recited in claim 24.
- 10. The function call on page 24 of Exhibit C and reproduced as Exhibit C3; the function call on page 25 of Exhibit C and reproduced as Exhibit C4; the function call on page 26 of Exhibit C and reproduced as Exhibit C5; and the function call on page 27 of Exhibit C and reproduced as Exhibit C6; cause the code to allow top application layer code to obtain

information about existing channels (relay grid) and clients who have joined in each channel, which implements "providing grid information to said joining peer system indicating one or more established peer-to-peer relay networks," recited in claim 24.

- 11. The function call on page 22 of Exhibit C and reproduced as Exhibit C7 causes the code to cause the local client to join a relay grid, which implements "receiving a grid selection from said joining peer system indicating a selected peer-to-peer relay network, wherein said selected peer-to-peer relay network has one or more member peer systems," recited in claim 24.
- 12. The function call on page 27 of Exhibit C and reproduced as Exhibit C8 causes the code to provide bookkeeping of the network address of individual member peer systems to the underlying implementation of the peer relay system, which implements "providing network addresses of each of said one or more member peer systems to said joining peer system," recited in claim 24.
- 13. The function call on page 22 of Exhibit C and reproduced as Exhibit C7 causes the code to enable a local client to join a relay grid, which implements "receiving a connection update from said joining peer system indicating to which member peer systems said joining peer system is connected," recited in claim 24.
- 14. The function call on page 22 of Exhibit C and reproduced as Exhibit C7 causes the code to start a sequence of actions and message exchanges, which implements "wherein each member peer system is connected to a number of other member peer systems that is less than or equal to a connection limit and each member peer system stores a set of one or more relay rules for relaying data to the other member peer systems connected to that member peer system," recited in claim 24.

PATENT 450133-04863.1

 As evidenced by attached Exhibits A through C; every element of my claimed invention was reduced to practice prior to April 9, 2002.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature of Declarant Anthony Mai

Date

Sep. 19, 2008

Print or Typed of Declarant

EXHIBIT A

From: Sent: To: Subject:		
Attachments:		
	7	То
		cc Subject
Anthony Mai Sony Computer Entertainment America http://www.scea.com Anthony Mai/SDPD/SCEA		
	Glen Van Datta/SDPD/SCE	To A cc
	The document	Subject
Glen: Here is the doc file attackment. Anthony Mai Sony Computer Entertainment America http://www.scea.com (See attached file:	doc)	

Multi-Channel Multi-Party Audio Streaming Protocol

Introduction

Audio streaming in the online game scenery is different from conventional VoIP application in a number of ways. First, conventional VoIP system has only one data source. It may have one data target, like in the case of internet telephone, or it may have one server and multiple data targets, like in the case of internet radio or other broadcast steaming.

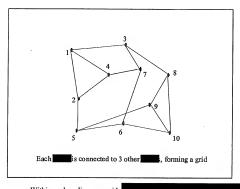
In the online game scenery, there could be multiple data sources (each player in a game may speak), and there could also be multiple data targets (each player in a game may also listen.) And there may not even be a central server to receive and re-distribute all the audio data.

Due to network bandwidth limitation, a multi-channel Multi-party audio streaming protocol must be designed to allow multiple players to talk with each other over the network.

Assumption of the protocol:

The following assumptions will be made:

1.	There will always be one	players in a game.
2.		f all the available audio channels, or on of each player in each room to speak. opy of the audio room list.
3.	it connects to will be forwarde	connected to no more than there eived by a from one of the data data from any one data from any one can eventually
to commu	network ban nicate with other) while allow	dwidth requirement (since it only needs ring data from any single to sockets.
	ere will be a network grid for the chan to this grid. This will be used for none	
	join a specific audio room. But each	For each audio room. Each can can join no more than one audio



Within each audio room grid,

Any wishing to speak should wait until the speaker has finished or paused. If multiple players try to speak,

Establishment of the audio room network grid

Any and can create an audio room and this event is broadcast to every one in the game, through the channel 0 grid. The that created the audio room becomes the first node of the network grid. It will notice that it has three arms of connection, none occupied yet.

Any wishing to join an audio room broadcast a message through the channel 0 grid. Every within the grid then sends the new But a welcome message, specifying whether they have a free arm of connection available or not.

The new first takes offers of connection from existing who has a free arm of connection. And then request connection with the very first Upon such request, the existing one of its connections and connects with the new

Any with a connection will then the availability of connection on channel 0. The who also have free connection arm will respond to establishes a connection.

Establishment of the channel 0 grid

Channel 0 grid is the network grid that every

So it is

important that when each joins the game,

1. First

When the first creates a new game session, there are no other three grid connections of the first is available.

First in a game

Second

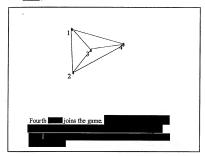
Second joins the game. The game server notifies

first about the second and . The first sends a welcome message and they connect.

Third joins



Fourth joins

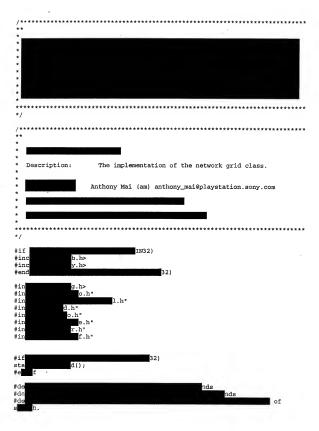


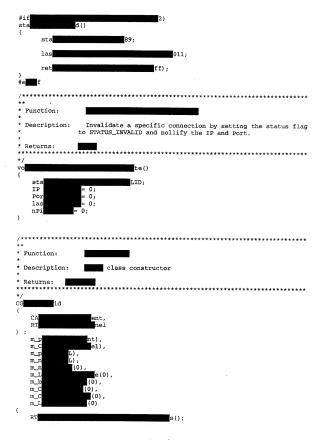
The new joining protocol:	
1. The game server sends the new info to all existing within a game. 2. Each existing sends a welcome UDP message to the new indicating whether it has any spare connection arm available. 3. The new indicating welcome to the first existing sends a connection accepted message back. And the connection is established. 5. If the new indicating who sent a welcome message with no available connection arms unused, it further sends a connection request message to the first existing who sent a welcome message with no available connection arm. 6. Upon connection requests from the new would break one of the connection arms, and then sends a connection accepted message back to the new would message to the new would message to the new would message to the	
Maintaining the grid	
could drop out of the network grid important that the grid can connection.	
1. Each pair of connected to each other periodically. 2. If A is informed of disconnection of the marks that connection arm as free, and send out a connection arm available message, on channel 0. 3. When B receives a connection arm available message, and it has a free connection arm, it responds by sending a connection request message. 4. When A receives a connection request message, and it has a free connection arm, at responds by sending a connection request message. And the two is connected.	
Dropping out of the grid	
If a intend to quit the game, it should post a message to all it connects to indicating that it is quitting. When the connection no longer exist, and through the existing arms of connection that it has a free arm of connection available. Any other who also has a free arm of connection that it has a free arm of connection available.	

Transferring data within the grid

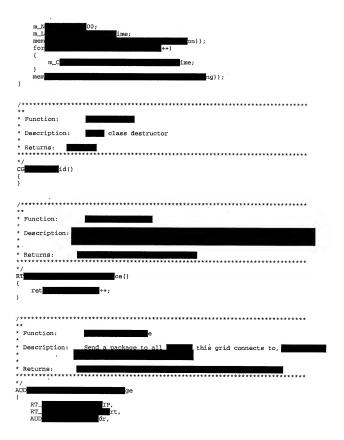
	ork grid is established to allow all within the grid to share minimal network load for each individual
package or not. I package to the o package from. If the package from	n further circulation within the grid. no repeated packages received, and chances of lost
	extremely low, since each is and and ld be forwarded to the This way, the network
	idio data within the grid
Each pac	kage of audio data
When each	oh within the
2.	decide whether it can speak or not according to the following rules: If no backage was received within certain time period (like 1-2 seconds), it can start to speak. If one or briving speaker so the can start to speak. If after a starts to speak, it receives a from a different should immediately stop speaking, and wait for the next opportunity to speak. When the can start there that the human player can start to speak. The player may or may not speak. If the player speaks, it will be and the will begin
	to the network grid. When a speaks, silence package will be send out, allowing other to speak, while the local will wait for next opportunity to speak. If a speaks for twill be forcefully stopped, allowing other an opportunity to start speaking.

EXHIBIT B





Page 2



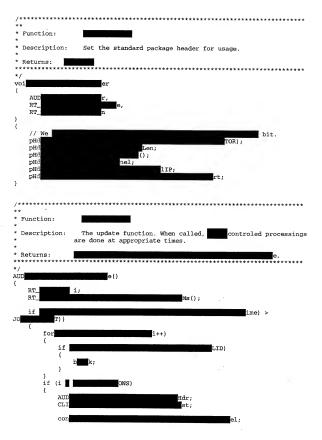
Page 3

```
con
RT_
RT_
AUD
RT_
RT_
                             ze;
                                               OR;
                                         ce;
                                                        ZE];
// Fi
mem
nSi
swi
                                               dr));
                          dr);
     // We
nAu
                                                                              ges.
                                                                      ();
     mem
nS
br
}
mem
                                                 ize);
                  ze;
nSi
for
{
     if (
                                                       ) ||
t)) )
            ( (m_
(m_C
      {
                                                  dTo (
                                         IP,
ort
                 m_C
                                         ROR;
                 ret
                                                  IC;
}
```

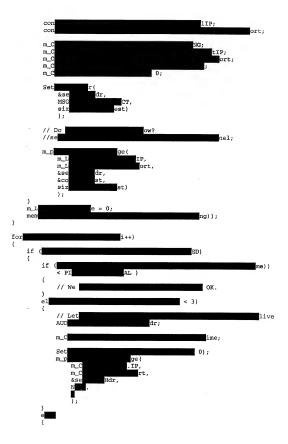
) {

}

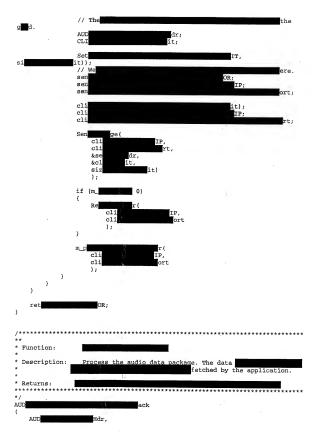
Page 4



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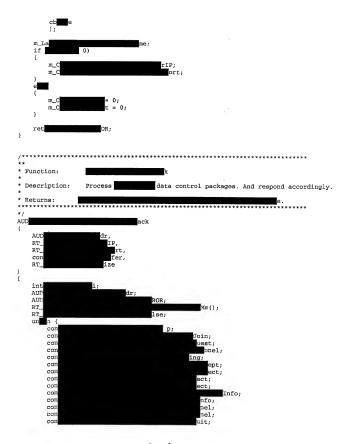


Page 6

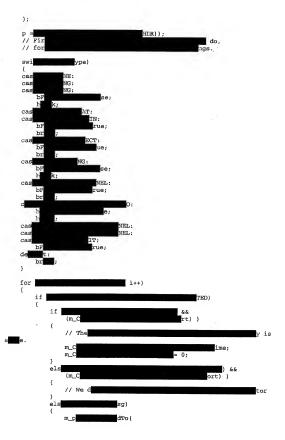


```
RT_
RT_
con
                               mIP,
rt,
fer,
     RT_
     RT_
RT_
RT_
                                    nce;
                                                         eMs();
     SM)
GSM
           ret
     // Fir
                                            i++)
     {
           if (m
                                                                  TED)
           {
                if
                      (m_C
                {
                     // The
e.
                                                                        ime;
                     m_C
                                                                         IP) &&
rt) )
                     // We
                                                                                        tor
                                        To (
                          pB
cb
                          m_C
m_C
);
                                              .IP,
               }
          j
    }
                               Hdr);
Hdr);
    pBu
cbS
    mem
                                                                        ce));
    pBu
cbs
                                           nce);
                                            nce);
    m_p
                                                ce(
         pHd
pHd
nAu
pBu
                          IP,
rt,
                  r,
```

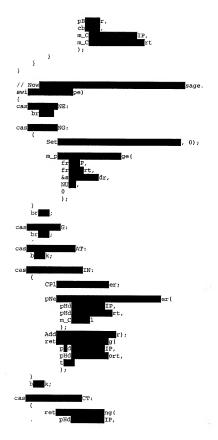
Page 8



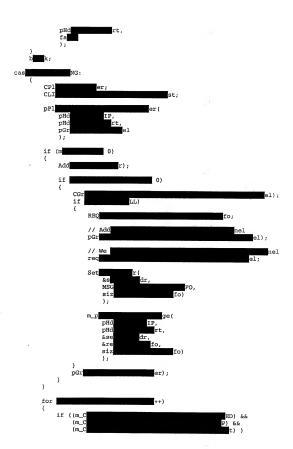
Page 9



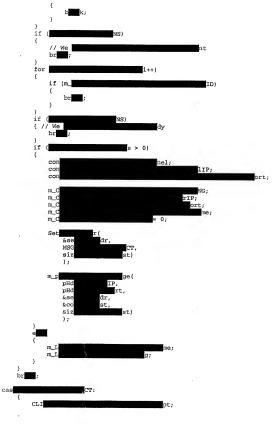
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Page 11



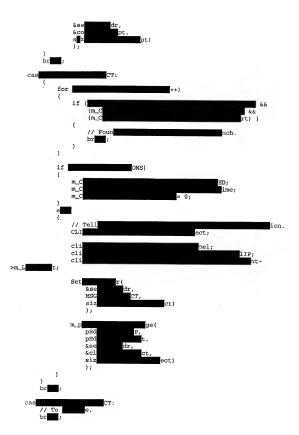
Page 12



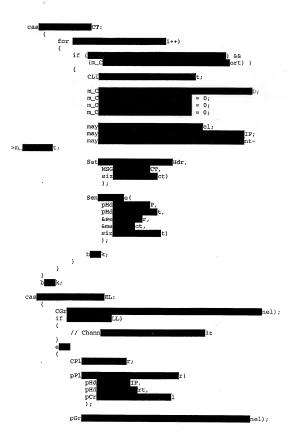
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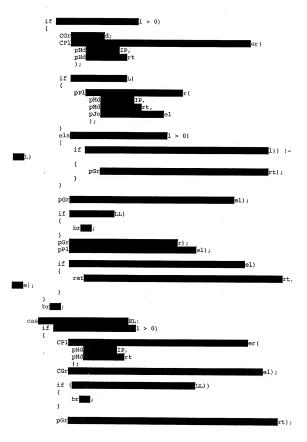
Page 15



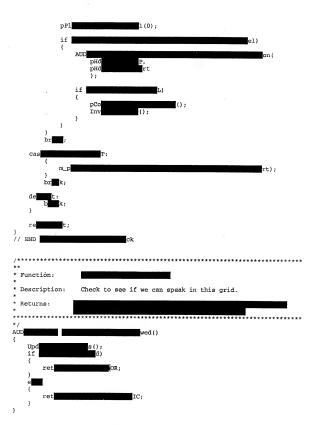
Page 16



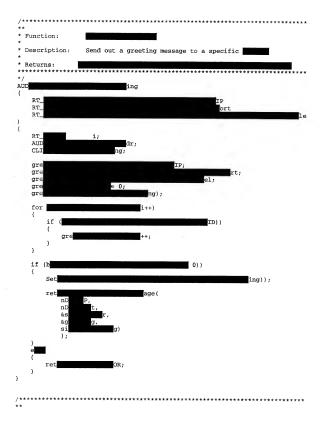
Page 17



Page 18



```
* Function:
                  Update
* Description:
                                             status flag.
* Returns:
*/
void
    // Do |
        if (
        {
            br ;
    if (
                         NS)
        // No
                              us.
    }
    els
        ( (m_C
        (m_C
        // The
                                         ing
        if (
SPE
               ME)
            // Whoe
                                                                       pped.
            m_C
m_C
                             0;
= 0;
                             1:
            m_b
            m_b
                         = 0;
        // No o
                                                   ing.
                      d = 1;
  if (!m
        // Mak
                                                               ce 0.
                                    e();
   }
}
```



```
* Function:
                  Return pointer to an |
                                               that matches the IP & Port.
 Description:
* Returns:
*/
AUD
                                  ion
   RT_
    for (
        {
                       i]);
   ret L;
}
* Function:
* Description:
                 Sends a message that
                                              connection on ourself.
* Returns:
*/
AUD
   CLI
   may
   may
                                             IP;
   may
   Set
       siz
       );
   ret
       m_p
m_p
&se
       &ma
```

Page 22

```
);
 }
voi
                      t()
 {
      RT_
AUD
CLI
                                      dr;
it;
       Set
                                                                                            it));
      cli
cli
cli
                                                                     it);
lIP;
      Sen
                      e (
                                     IP,
rt,
            cli
cli
&se
&cl
siz
);
                       r,
                                   it)
      m_P
for
{
                                   ();
      }
}
      ENU
      uns
)
{
      RT_
      for
            if |
                                                                               ED)
            {
                  CPl
                        m_C
m_C
);
                                                IP,
rt
                  if (p
                        cli
cli
cli
                                                                                  .IP;
```

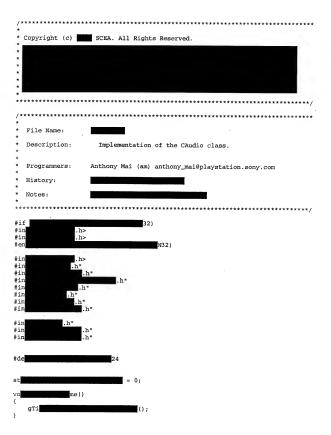
Page 23

```
fo))
          if |
            bass;
       }
     }
  }
  ret
             OR;
               on()
  RT___i;
  for (
     {
              te();
  }
  CP1
                er);
voi
                                  rt);
  if
                 e();
     pCo
            t();
               rt);
}
voi
```

Page 24

```
{
     pSp
pSp
           if (
                    ME)
           {
                // Whoe m_C m_C m_b
                                                                                                    ped.
           }
     }
     pSp
pSp
if
{
                                                     IP;
                                                       rt)
          CP1
           str
e));
                                                                                                  ker-
     }
}
```

EXHIBIT C



Page 1

```
Function:
  Description:
                   Convert IP string like "127.0.0.1" to binary value. For example
                 "127.0.0.1" converts to 0x7f000001.
  Returns:
    if |
            el
    }
  Function:
                  Convert a binary IP to IP string. For example 0x7f000001 will
 Description:
                be converted to "127.0.0.1".
* Returns:
    RT_
)
```

```
{
    RT_
     {
         for
         {
                    0)
                   *pIP
             va
                           00)
              if (
                  *pIP
                                                      0');
                             = 10)
                  2:
*pI
val
                                                              0');
                           0;
             }
             ip
                  8;
                       00;
    }
}
* Function:
* Description:
                    class constructor
* Returns:
              o():
0),
    m_
                       0),
(0),
   m_
   m m m m m m m m m
                        (0),
                    (0),
(0),
                 (0),
(0),
```

Page 3

```
m_
    m_
    m
    m_
    m_
    m_
             (0),
    m_
               (0),
            (0),
    m_
    m
             (0),
                  s(0),
    m_
                   1(0),
    m_
                    (0)
                    (0)
                                  ks));
}
  Function:
* Description:
                  class destructor
* Returns:
***********
    Des
                    ();
    Des
}
 Function:
 Description:
                  Re-start the audio sequence from zero. This must be done when
                we first starts to speak. Or starts speaking after a pause.
* Returns:
                                  ****************************
                            ce()
 Function:
 Description:
                 Return a sequence number for audio data. Note it is different
                from the sequence number returned by
* Returns:
```

```
e()
{
   ret
}
 Function:
               Initialize the some object. Initialize the GSM codec and
* Description:
             sample rate converter. Initialize the rt_comm layer. We do
             NOT check the validity of parameters passed in.
* Returns:
int
   int
   int
   int
   int
   int
   int
   REC
                 nc,
   PLA
                 unc
{
   RT_
                          pt;
   RT
   RT
   if
   Ad
   re
                   p();
   if
   {
   )
  Chn
                                UDP:
  Chn
                       IP);
```

Page 5

```
ret
   if
    }
                                r);
                              is);
                        ZED;
}
* Function:
* Description:
               Clean up before the object is destroyed or re-initialized.
* Returns:
voi
   whi
                           ev);
   if
                        nn);
                     ce;
   m_S
           0;
```

```
* Function:
* Description:
           Return the local IP. The IP may NOT be the same as what
remote
          machine sees if a network proxy is used.
* Returns:
**********************
              IP()
}
* Description:
           Return the local UDP port used.
* Returns:
uns
                rt()
                   **************
 Function:
 Description:
           Join a game. The client must know at least one remote client's
          IP and Port to be able to join. That information may be obtained
          by the application from the game server.
* Returns:
          ************************************
              in
(
  uns
  uns
  AUD
  CLI
  if
  )
                                             n));
                         in);
  cli
  cli
                      IP;
  cli
```

Page 7

```
NED;
    ret
        ho
ho
         &s
         &c
         si
         );
}
{
    if
    {
        Qui
                                    el);
    if
                     t();
                            NED;
}
* Function:
 Description:
                   Process any incoming data and send out pending outgoing data.
                 This function must be called by the application periodically
                 to do the processing.
* Returns:
AUD
{
    // Rea
    // Proc
    // Repe
    // forw
    AUD
                                      OR;
                          P;
    RT_
                               0;
    RT_
    RT_
    RT_
    CGr
                                                                         fer
    {
                                                                            rt);
```

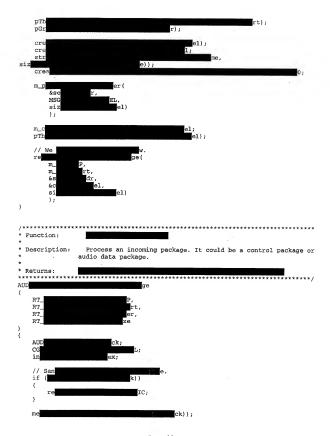
Page 8



Page 9

```
nt);
   }
)
 Function:
             Create a new audio channel. It fails if the channel name has
* Description:
            already been used.
* Returns:
int
   con
                   me
)
{
  CGr
  CPl
  AUD
   CRE
   if
      (*pC
   *pC
  whi
      (*pC
  whi
                                              d0))
  {
     if
      {
        // The
        ret
     )
  }
  if |
                    0)
  pGr
                       m);
  str
                                             e));
  pGr
                                   00;
```

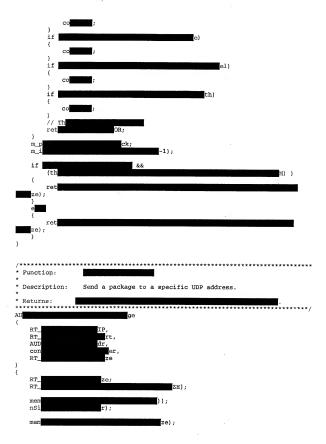
Page 10



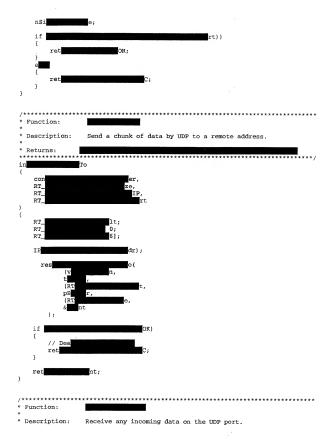
Page 11



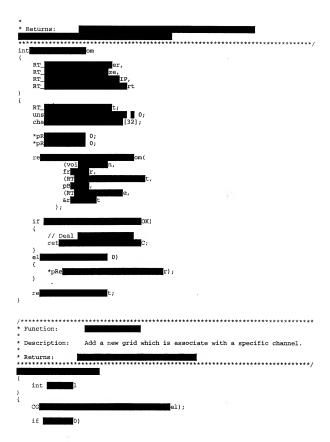
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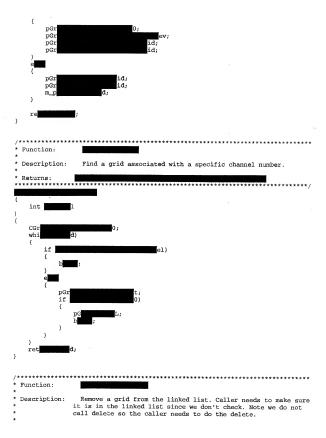
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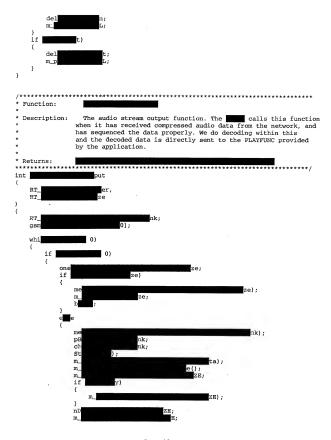


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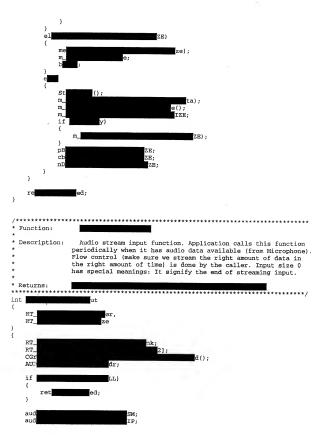


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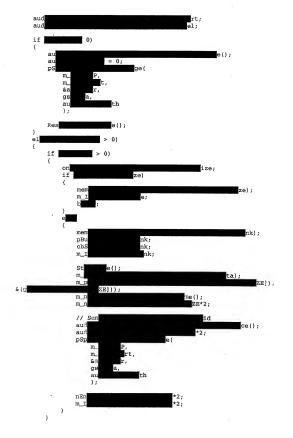
```
* Returns:
    CG
            id
{
    if |
    {
        else
        {
            pGr
                                             xt;
            pGr
                                             ev:
    }
    ret d;
 Function:
* Description:
                 Cleanup the sample rate converter.
* Returns:
voi
   if
    {
       del
                          ut;
   }
}
* Function:
* Description:
                 Clean up the GSM codec.
* Returns:
***************
   if
```



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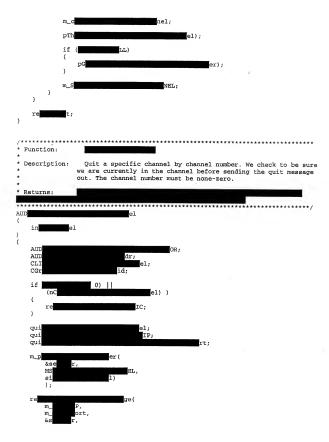
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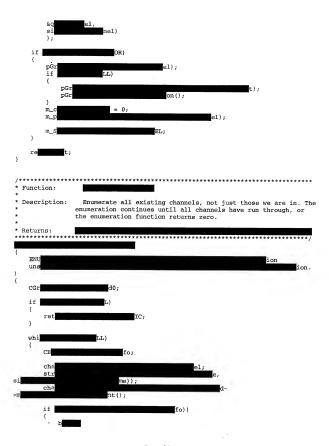
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```
}
   ret
               Join a channel by the channel number. The channel number must
 Description:
             be none-zero.
* Returns:
************************************
   int 1
   AUD
                        dr;
   AUD
      CGr
      joi
joi
joi
                                IP;
         &s
MS
si
                r,
                            NEL,
      ret
```

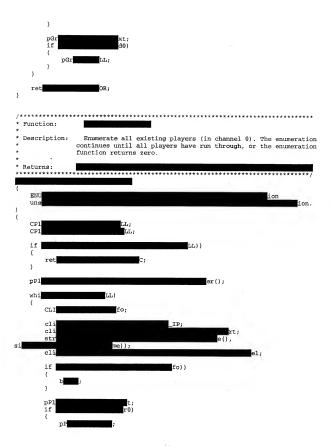
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```
Function:
  Description:
               Enumerate all existing players in a specific channel. Enumeration
              continues until all players have run through, or the enumeration
              function returns zero.
* Returns:
ENU
                                                         ion
   uns
                                                                ion.
   int
                                                      ted.
   CGr
                                el);
   CP1
                     LL;
   CPl
   CP1
   if
   pRe
                                       ef();
   whi
                      fo;
       CLI
       pP1
                          er;
                                   IP;
       cli
      strncpy(clientInfo.clientName, pPlayer->GetName(),
siz
                      me));
      cli
       if
                                   fo))
       {
       }
      pRe
       if
       }
   }
```

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```
ret
                 OR;
}
                ******************
 Function:
 Description:
               Enumerate all players in a specific channel that we directly
             connect with. Enumeration continues until all players have run
             through, or the enumeration function returns 0.
 Returns:
ENU
                                                      ion
   uns
                                                             ion.
   int
                                                  ated.
1
                                               ta);
}
 Function:
* Description:
              Create and add a new CPlayer object.
* Returns:
********
   ret
                                          el);
}
 Function:
* Description:
              Remove and delete an existing below object associated with a
            specific player.
```

```
* Returns:
(
    RT_U
)
{
    if |
        if
            CGr
                pGr
        if
               d0)
                                          rt);
   )
}
* Function:
                  Update and returns the status flag. If a remote client is
 Description:
                speaking, the remote client info is returned using
* Returns:
   CLI
{
   CGr
   }
   if
```

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```
pSp
       pSp
                            0;
       pSp
    }
* Function:
* Description:
               Re-initialize the decoder when the source of streaming
              audio changes.
* Returns:
   if
                  it();
   }
}
 Function:
 Description:
               Return accumulative average CPU load % for encoding & decoding
*******************
(
   dou
   dou
)
{
   if
       *pEn = 0;
                es)
```

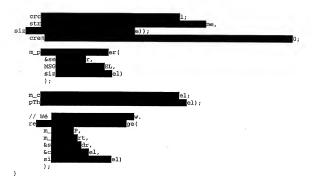
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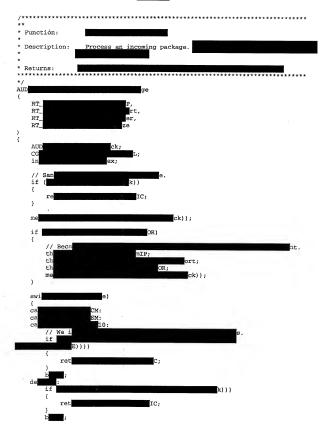


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```
* Function:
                    Create a new audio channel.
* Description:
* Returns:
*/
ΑU
(
    CGr
CPl
AUD
                             er;
    CRE
    if
         (pC
         (*pC
    }
    whi
         (*pC
    whi
                                                                      d0))
    {
        if
        {
             // The
             ret
    }
    if
                              0)
    }
   pGr
str
pGr
                                                     00;
   pTh
pGr
   cre
                                                    el);
```

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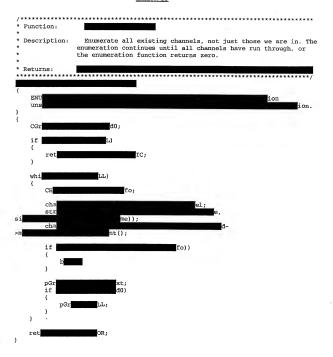


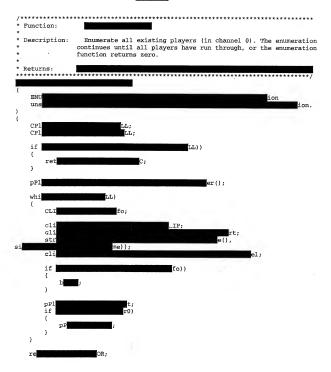


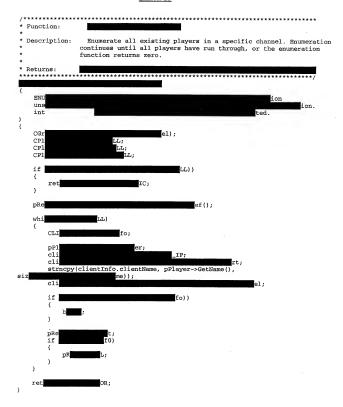
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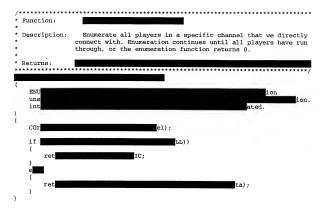


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